



DEPARTMENT OF THE NAVY
JOINT BASE PEARL HARBOR-HICKAM
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JBPHH HI 96860-5102

JBPHHINST 3170.1A
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MAR 30 2016

JOINT BASE PEARL HARBOR-HICKAM INSTRUCTION 3170.1A

From: Commander, Joint Base Pearl Harbor-Hickam

Subj: HARBOR TRAFFIC AVOIDANCE OF MARINE MAMMALS WITHIN PEARL HARBOR

Ref: (a) Endangered Species Act, 16 United State Code
Sections
1531-1544
(b) Approaching humpback whales in Hawaii, 50 Code of
Federal Regulations Section 224.103(A)
(c) COMUSFLTFORCOM NORFOLK VA 29194727Z JUL 11
(d) OPNAVINST 3100.6J dtd 22 DEC 09, Special Incident
Reporting Procedures
(e) COMNAVREG HAWAII PEARL HARBOR HI 060020Z SEP 13

1. Purpose. Pearl Harbor, including its inner harbor and entrance channel, provides increasingly attractive feeding opportunities for sea turtles and Hawaiian monk seals. These animals, protected by federal law, are highly mobile. However, specific locations in Pearl Harbor appear to be more attractive to the animals than others. Care must be taken to avoid colliding with these marine species because they may not sense approaching boat traffic. Humans must not feed these animals because doing so will teach them to approach vessels rather than avoid them.

2. Cancellation. JBPHHINST 3170.1

3. Background. The federal Endangered Species Act, reference (a), lists several species of Hawaii's marine mammals as "threatened" or "endangered". It is a federal offense for any person subject to the jurisdiction of the United States to "take" a threatened or endangered species. "Take" is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or to attempt to engage in any such conduct". Federal agencies such as the Navy are required to insure that its actions are not likely to "jeopardize the continued existence" of any threatened or endangered species. Navy actions may result in the "incidental take" of a threatened or endangered species if authorized by National Marine Fisheries Service (NMFS).

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By regulation, reference (b), vessels, when operating in Hawaii, are not to approach humpback whales any closer than 100 yards.

3. Species' Favored Locations

a. Sea Turtles. Sea turtles are often seen in the shoal waters at the harbor entrance and throughout the harbor as well as above the edges of the channel. Turtles may be seen throughout the harbor especially near all boat ramps and landings, in the waters around the USS ARIZONA, and above the shallow portions of West Loch and Middle Loch. The threatened green sea turtle may often be seen, while the endangered hawksbill turtle is sighted less frequently.

b. Monk seals. Monk seals have been seen at the entrance to Hickam Harbor, between Keahi and Hammer Points (Iroquois Point beach), between the Ford Island boat house and Hotel Piers, and at dry docks 1-3 by Landing "C". Monk seals also frequent the recreational beaches at Kalaeloa (White Plains, Nimitz). The Hawaiian monk seal is the only species of seal in Hawaii. They are in serious danger of extinction as their population continues to decline. They appear to enter the harbor to feed, returning to that general location for several days until the area is sufficiently depleted.

c. Whales. Humpback whales are increasing in number. They rarely enter the harbor but have reportedly done so three times since 1998. Humpback whales are seen transiting past the entrance to the harbor in the vicinity of Buoys 1 and 2 between December and April. Pacific Fleet issues an annual message advising of the humpbacks return to Hawaii and of any new procedures that must be followed.

d. Rays. Rays are not marine mammals but have been mistakenly reported as dolphin sightings. Rays may be seen in shoal waters and along the channel edges with tips of their wings protruding from the surface and occasionally jumping. Rays are also spotted cruising over the USS ARIZONA.

4. Harbor traffic. While operating inbound of buoys 1 and 2, all vessels shall be operated at a minimum safe speed to allow avoidance of marine mammals. Good seamanship requires the active watch of a trained lookout while operating inbound of

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Buoys 1 and 2 and throughout the harbor to reduce the risk of collision. These animals may be in shoal waters, along the edges of or in the entrance channel, near landings, and in the harbor. Exceptions to this direction may be made when responding to emergencies in accordance with approved Pre-Planned Responses (PPRs), antiterrorism and/or force protection events and required training and exercises.

5. Pier-side Sonar. Follow the Protective Measures Assessment Protocol (PMAP) published in reference(c).

a. For inport active sonar maintenance/testing, ships are required to have one qualified underway lookout or ships control watchstander (i.e. OOD, JOOD, JOOW) on watch while the sonar is active. That watchstander will be posted in a location such to have an unobstructed view of the safety zone out to at least 1000 yards, be equipped with a pedestal mounted big eye or hand held binoculars and have direct communications with sonar control.

b. Safety zone mitigations remain the same as at sea sonar use; power down 6 db if a marine mammal is sighted within 1000 yards of the sonar dome, power down 10 db if a marine mammal is sighted within 500 yards of the sonar dome, and secure transmissions if a marine mammal is sighted within 200 yards of the sonar dome. The power down shall remain in place until the mammal has been seen to leave the safety zone or 30 minutes has elapsed since the last sighting.

c. For inport active sonar use at night or periods of reduced visibility, watchstanders will employ night lookout techniques in accordance with the lookout training handbook and have night vision devices available for use.

d. An Automated-Sonar Positional Reporting System (A- SPORTS) report must be submitted for all inport active sonar maintenance/testing.

6. Reporting. To allow all harbor traffic to be aware of the presence of marine mammals in any location between Papa Hotel and pier-side, all traffic shall report sightings of these animals to the Pearl Harbor Control Tower available at (808) 474-6262 or radio channel 69, noting time and location of the animal(s). The Pearl Harbor Control Tower will advise all traffic of the sighting (time, location, species) and repeat such notification every 30 minutes for 2 hours after any sighting report is received. In the event of wildlife

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sightings, turtle and marine mammals in distress, injured wildlife of any kind including downed wedge-tailed shearwaters (sea birds) during shearwater fallout season (October-December of every year), call the Naval Facilities Engineering Command (NAVFACHI) Natural Resources Manager at (808) 722-7285.

7. Animal Data Collection. The Pearl Harbor Control Tower will advise the Joint Base Pearl Harbor-Hickam (JBPHH)/NAVFACHI natural resource manager of all marine mammal sightings reports for the purpose of data collection and natural resource management available at (808) 471-1171 ext. 244.

8. Reporting Actual or Suspected Collisions. Any suspected or actual collision with a marine mammal shall be reported to Pearl Harbor Control Tower available at (808) 474-6262 or radio channel 69. The JBPHH/NAVFAC HI natural resource manager will respond with the assistance of harbor staff. The natural resource manager will confer with Navy Region Hawaii environmental counsel and make the appropriate report to National Marine Fisheries Service (NMFS). Factual information will be provided to the JBPHH Public Affairs office, who can be reached at (808)473-2926. Pursuant to reference (d), any confirmed or suspected collision with a marine mammal (whale, monk seal, etc.) requires issuance of JBPHHINST 3170.1 an OPREP-3 Navy Blue report. A confirmed or suspected collision with a mammal may be reported as an OPREP-3 Navy Blue if the incident is a matter of concern to the public or has the potential to become the focus of a law enforcement action, such as an investigation by the National Oceanic and Atmospheric Administration's Office of Law Enforcement (NOAA OLE). Additional reporting requirements are found in reference (e) regarding notification to the chain of command as an event with the potential for a notice of violation from a federal regulatory agency.

9. Training. JBPHH recommends that all harbor users annually complete the Navy's Marine Species Awareness Training (MSAT) prior to operating a vessel in the harbor. MSAT is available at Navy Knowledge Online.



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http://www.cnjc.navy.mil/regions/cnrh/installations/jb_pearl_harbor_hickam/about/jbphh-instructions.html